UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/IM/2001/1
12 September 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Informal one-day meeting
Tuesday, 25 September 2001

PROVISIONAL AGENDA AND ANNOTATIONS THERETO

Provisional agenda

Item 1. Opening of the informal meeting.

Item 2. Implementation of Commission decision 2000/109, entitled "Enhancing the effectiveness of the mechanisms of the Commission on Human Rights", requesting the Chairperson of the Commission to convene a one-day informal meeting of the Commission in late September each year to facilitate exchange of information in advance of the General Assembly.

Item 3. Round-up of the meeting.

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Annotations to the provisional agenda

Item 1. Opening of the informal meeting

1. The Chairperson of the fifty-seventh session of the Commission will make an introductory statement.

2. A statement will also be made by the High Commissioner for Human Rights.

3. The Chairperson of the fifty-seventh session of the Commission will then deliver a substantive statement.

Item 2. Implementation of Commission decision 2000/109

Legislative authority

4. At its fifty-sixth session, in decision 2000/109 of 26 April 2000, the Commission decided to approve and implement comprehensively and in its entirety the report of its inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (E/CN.4/2000/112).

5. The attention of the Commission is drawn to paragraphs 33 and 34 of the above-mentioned report, which read as follows:

> "The cycle of meetings (the Commission session in spring; the United Nations General Assembly in autumn) is such that the Third Committee of the General Assembly is well placed to consider developments in the interim since the Commission session. Given the significant overlap both in agenda and in attendance between the Commission and the Third Committee, the Working Group considers that there is scope for a more dynamic sense of connection between the two. In particular, the Group recognizes the rationale for some form of enhanced preparation in Geneva so as to ensure that all delegations have relevant information available to them in their preparations for the Third Committee." (para. 33)

> "The Working Group therefore recommends that the Chairperson of the Commission should convene a one-day informal meeting of the Commission in late September each year specifically to facilitate exchange of information in advance of the General Assembly. The meeting, which would not have a formal outcome, would have an agenda comprising those issues which had been dealt with at the previous Commission session and which were also on the provisional agenda for the Third Committee. Each item would be focused on briefly, with information from the Secretariat on any developments since the Commission session, and an opportunity for comment by government representatives, including any indication of intentions for tabling resolutions in the Third Committee." (para. 34)

Informal one-day meeting of the Commission in 2000

6. At its post-sessional meetings in October and November 2000, the Bureau of the fifty-sixth session of the Commission had before it an information note on the first informal one-day meeting of the Commission held on 15 September 2000. The Bureau discussed the note and agreed that it could be used for information purposes. The text of the note is reproduced in paragraphs 7 to 12 below.

7. The first informal one-day meeting of the Commission on Human Rights convened pursuant to Commission decision 2000/109 was held in Conference Room XVII of the Palais des Nations on 15 September 2000. Over 220 participants representing Governments and intergovernmental and non-governmental organizations took part in this meeting, the main task of which was to facilitate the exchange of information in advance of the General Assembly.

8. Prior to the informal meeting, on 12 September 2000, a briefing was organized by the Office of the High Commissioner for Human Rights (OHCHR) for all interested delegations during which the Secretariat provided them with information regarding the scenario and other technical details of the informal meeting. An information note for participants dated 1 September 2000 was circulated to all Permanent Missions in Geneva and major NGOs in advance of the meeting. The information note referred to issues of participation, accreditation, documentation and proposed organization of work.

9. The provisional agenda of the meeting and annotations thereto were contained in document E/CN.4/IM/2000/1. The documentation for the meeting consisted of reports prepared by OHCHR for consideration by the Third Committee of the General Assembly (mainly advance unedited versions) as well as of a few background and reference documents and various information materials. The reports prepared for the General Assembly were placed on the OHCHR Web site. Nine such documents had already been issued in final form and were available in the Conference Room in hard copy. Complete sets of all documents had been distributed by the Secretariat to all Bureau members and regional coordinators. Such sets were also available for consultation by all interested delegations participating in the meeting.

10. The agenda of the meeting followed the human rights items allocated in 2000 by the General Assembly to the Third Committee. On each item, staff members of OHCHR provided highlights of recent developments and information with respect to 59 reports submitted in 2000 by OHCHR to the Third Committee. The United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, provided an update on her report to the General Assembly. In total, 27 government representatives and 10 NGO representatives took the floor to make comments, ask questions and share information, including indications by several Governments of their intentions to table resolutions in the Third Committee.

11. The meeting, which was one of the innovations and improvements relating to the functioning of the Commission on Human Rights agreed in its decision 2000/109, was acknowledged by all speakers as a useful and successful exercise.

12. The Chairperson of the fifty-sixth session of the Commission called upon those delegations which would be attending the session of the General Assembly to revert back to the Commission with feedback on how useful the informal meeting had been in terms of making relevant information available to them in their preparations for the Third Committee. He also welcomed comments through regional coordinators about how the meeting could be further improved, since from now on it would be held on an annual basis.

Background information concerning the work of the Third Committee

13. According to preliminary information provided by the secretariat of the Third Committee, the Committee will begin its work on 3 October 2001, at which time it will approve its draft programme of work. (It is to be noted that, as the dates of relevant meetings of the Third Committee and the numbers of agenda items are still subject to change, they are put in square brackets.) The Third Committee will begin consideration of human rights items on [22 October] with the item on the promotion and protection of the rights of children. Consideration of other human rights items would begin on [29 October]. It is proposed that the High Commissioner' s dialogue take place on [7 November], followed by the dialogues with the special rapporteurs on [8, 9 and 12 November].

14. The human rights items to be allocated to the Third Committee by the General Assembly this year are as follows:

Item [127]. Promotion and protection of the rights of children

Item [128]. Programme of activities of the International Decade of the World' s Indigenous People

Item [129]. Elimination of racism and racial discrimination

Item [130]. Right of peoples to self-determination

Item [131]. Human rights questions:

(a) Implementation of human rights instruments;

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

(c) Human rights situations and reports of special rapporteurs and representatives;

(d) Comprehensive implementation and follow-up to the Vienna Declaration and Programme of Action;

(e) Report of the United Nations High Commissioner for Human Rights

Proposed organization of work

15. As was the practice last year, it is proposed that the secretariat make presentations of a primarily informative nature concerning the human rights items allocated by the General Assembly to the Third Committee this year. These presentations will provide highlights of significant developments since the fifty-seventh session of the Commission with respect to the human rights items to be considered by the Third Committee, and pertinent information with respect to the reports submitted by OHCHR to the Third Committee. The High Commissioner for Human Rights will also take the floor in connection with her reports to the General Assembly.

16. After the presentation of each item/issue by the secretariat in the order of the human rights agenda items of the Third Committee, a general discussion will follow (questions and answers). Government representatives, observers for United Nations departments, specialized agencies and intergovernmental organizations, if any, will be given the floor for short interventions. It is expected that particular emphasis will be placed by government representatives on initiatives and draft resolutions they intend to table during the fifty-sixth session of the General Assembly.

17. The Bureau of the Commission would welcome the participation in the informal one-day meeting of the Chairperson of the 8th annual meeting of the special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission, the Chairperson of the 13th annual meeting of the chairpersons of the human rights treaty bodies and the Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights (or their representatives) should they happen to be in Geneva at that time. The mandate holders of special procedures and chairpersons of the treaty bodies have been encouraged, in connection with their respective reports to the General Assembly, to submit to the secretariat of the Commission a one-page update providing the essence of any significant developments regarding their respective mandates or reports, which will be read out by the secretariat.

Documentation

18. The following documentation has been prepared by OHCHR and by special rapporteurs and representatives, pursuant to pertinent General Assembly resolutions and resolutions adopted by the Commission on Human Rights at its fifty-seventh session, for consideration by the Third Committee:

Item [127]. Promotion and protection of the rights of children

(a) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/56/...)
Legislative authority: General Assembly resolution 55/79, VII (a); 44/25.

Item [128]. Programme of activities of the International Decade of the World's Indigenous People

(a) Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the implementation of the programme of activities of the International Decade of the World's Indigenous People (1995-2004): Status of the United Nations Voluntary Fund for the International Decade of the World's Indigenous People; Status of the United Nations Voluntary Fund for Indigenous Populations (A/56/...)
Legislative authority: General Assembly resolutions 55/80; 48/163).

Item [129]. Elimination of racism and racial discrimination

(a) Report of the Committee on the Elimination of Racial Discrimination (Supplement No.18) (A/56/18)
Legislative authority: General Assembly resolutions 55/81; 2106A (XX).

(b) Note by the Secretariat transmitting the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/56/...)
Legislative authority: General Assembly resolution 55/83.

(c) Report of the Secretary-General on implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities (A/56/...)
Legislative authority: General Assembly resolutions 55/84; 54/154; Commission on Human Rights resolution 2001/5.

(d) Report of the Secretary-General on the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/56/...)
Legislation authority: General Assembly resolution 53/132.

Item [130] Right of peoples to self-determination

(a) Report of the Secretary-General on the right of peoples to self-determination (A/56/...)
Legislative authority: General Assembly resolution 55/85.

(b) Note by the Secretary-General transmitting the report of the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/56/...)
Legislative authority: General Assembly resolution 55/86.

Item [131]. Human rights questions

(a) Implementation of human rights instruments

(a) Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/56/...)
Legislative authority: General Assembly resolution 55/88.

(b) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment (A/56/...)
Legislative authority: General Assembly resolution 55/89; Commission on Human Rights resolution 2001/62; Economic and Social Council .... .

(c) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/56/...)
Legislative authority: General Assembly resolution 55/89.

(d) Report of the Committee against Torture (Supplement No. 44) (A/56/44)
Legislative authority: General Assembly resolution 39/46, annex; 55/89.

(e) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (A/56/...)
Legislative authority: General Assembly resolutions 36/151; 55/89.

(f) Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations (A/56/...)
Legislative authority: General assembly resolutions 2200 A (XXI); 54/157; Commission on Human Rights resolution 2000/67; Economic and Social Council .... .

(g) Report of the Human Rights Committee (A/56/40)
Legislative authority: General Assembly resolutions 2200A (XXI); 54/157.

(h) Report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/56/...)
Legislative authority: General Assembly resolution 46/122.

(i) Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (A/56/...)
Legislative authority: General Assembly resolution 260A (III).

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

(a) Report of the Secretary-General on human rights and cultural diversity (A/56/...)
Legislative authority: General Assembly resolution 55/91.

(b) Report of the Secretary-General on the protection of migrants (A/56/...)
Legislative authority: General Assembly resolution 55/92.

(c) Note by the Secretary-General submitting the report of the High Commissioner for Human Rights on the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights (A/56/...)
Legislative authority: General Assembly resolution 55/94; Commission on Human Rights resolution 2001/61; Economic and Social Council ... resolutions.

(d) Report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights (A/56/...)
Legislative authority: General Assembly resolution 55/95; Commission on Human Rights resolution 2001/82; Economic and Social Council ... .

(e) Note by the Secretary-General submitting the interim report of the Special Rapporteur on the question of the elimination of all forms of religious intolerance (A/56/...)
Legislative authority: General Assembly resolution 55/97; Commission on Human Rights resolution 2001/42; Economic and Social Council resolution ... .

(f) Note by the Secretary-General submitting the report of the Special Representative of the Secretary General on human rights defenders (A/56/...)
Legislative authority: General Assembly resolution 55/98; Commission on Human Rights resolution 2000/61; Economic and Social Council ... .

(g) Report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/56/...)
Legislative authority: General Assembly resolution 55/102; Commission on Human Rights resolution 2001/32; Economic and Social Council resolution ... .

(h) Report of the Secretary-General on strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity (A/56/...)
Legislative authority: General Assembly resolution 55/104.

(i) Report of the Secretary-General on the right to development (A/56/...)
Legislative authority: General Assembly resolution 55/108; Economic and Social Council ... .

(j) Report of the Secretary-General on human rights and unilateral coercive measures (A/56/...)
Legislative authority: General Assembly resolution 55/110.

(k) Report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/56/...)
Legislative authority: General Assembly resolution 54/162.

(l) Report of the Secretary-General on human rights and terrorism (A/56/...)
Legislative authority: General Assembly resolution 54/164.

(m) Report of the representative of the Secretary-General on the protection of and assistance to internally displaced persons (A/56/...)
Legislative authority: General Assembly resolution 54/167; Commission on Human Rights Resolution 2001/54; Economic and Social Council ..... .

(n) Report of the Secretary-General on national institutions for the promotion and protection of human rights (A/56/...)
Legislative authority: General Assembly resolution 54/176.

(o) Report of the Secretary-General on human rights and mass exoduses (A/56/...)
Legislative authority: General Assembly 54/180.

(p) Report of the Secretary-General on bioethics (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/71; Economic and Social Council ... .

(q) Note by the Secretary-General concerning human rights of persons with disabilities (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/51; Economic and Social Council ... .

(c) <u>Human rights situations and reports of special rapporteurs and representatives</u>

(a) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights in Myanmar (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/15; Economic and Social Council ... .

(b) Note by the Secretary-General transmitting the interim report of the Special Representative on the situation of human rights in Bosnia and Herzegovina and the Federal Republic of Yugoslavia (A/56/...)
Legislative authority: General Assembly resolution 55/113; Commission on Human Rights resolution 2001/12; Economic and Social Commission ... .

(c) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights in Iraq (A/56/...)
Legislative authority: General Assembly resolution 55/115; Commission on Human Rights resolution 2001/14; Economic and Social Council ... .

(d) Note by the Secretary-General transmitting the interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran (A/56/...)
Legislative authority: General Assembly resolution 55/114; Commission on Human Rights resolution 2001/17; Economic and Social Council ... .

(e) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights in the Sudan (A/56/...)
Legislative authority: General Assembly resolution 55/116; Commission on Human Rights resolution 2001/18; Economic and Social Council ... .

(f) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo (A/56/...)
Legislative authority: General Assembly resolution 55/117; Commission on Human Rights resolution 2001/19; Economic and Social Council ... .

(g) Note by the Secretary-General transmitting the mission report by the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, the Special Rapporteur on extrajudicial, summary or arbitrary executions and a member of the Working Group on Enforced or Involuntary Disappearances (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/19; Economic and Social Council ... .

(h) Note by the Secretary-General transmitting the report of the independent expert of the Commission on Human Rights on developments in the situation of human rights and technical cooperation for human rights in Haiti (A/56/...)
Legislative authority: General Assembly resolution 55/118; statement by the Chairperson of the fifty-seventh session of the Commission on Human Rights.

(i) Note by the Secretary-General transmitting the report of the Special Rapporteur on the situation of human rights in Afghanistan (A/56/...)
Legislative authority: General Assembly resolution 55/119; Commission on Human Rights resolution 2001/13; Economic and Social Council ... .

(j) Note by the Secretary-General transmitting the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/7; Economic and Social Council ... .

(k) Note by the Secretary-General on the human rights situation of the Lebanese detainees in Israel (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/10; Economic and Social Council ... .

(l) Note by the Secretary-General transmitting the report of the High Commissioner for Human Rights on the situation of human rights in Sierra Leone (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/20; Economic and Social Council ... .

(m) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights in Burundi (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/21; Economic and Social Council ... .

(n) Note by the Secretary-General transmitting the preliminary report of the Special Rapporteur on the right to food (A/56/...)
Legislative authority: Commission on Human Rights resolution 2001/25; Economic and Social Council ... .

(o) Report of the Special Representative of the Secretary-General for Human Rights in Cambodia on the situation of human rights in Cambodia (A/56/...)
Legislative authority: General Assembly resolution 55/95; Commission on Human Rights resolution 2001/82; Economic and Social Council ... .

(c) Report of the United Nations High Commissioner for Human Rights

(a) Report of the United Nations High Commissioner for Human Rights (Supplement No. 36) (A/56/...)
Legislative authority: General Assembly Resolutions 48/141; 48/121; Commission on Human Rights resolution 2001/24; Economic and Social Council ... .

(b) Interim report of the United Nations High Commissioner for Human Rights on the situation of human rights in East Timor (A/56/...)
Legislative authority: statement by the Chairperson of the fifty-seventh session of the Commission on Human Rights.

Item 3. Round-up of the meeting

16. The floor will be open for an evaluation of the one-day informal meeting by all interested delegations. Final remarks will be made by the Chairperson of the Commission on Human Rights and by the High Commissioner for Human Rights.

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Note by the secretariat

1. Following the conclusion of the fifty-seventh session of the Commission on Human Rights, the expanded Bureau of the Commission held a number of post-sessional meetings and undertook a series of activities aimed at improving the methods of work of the Commission and its coordination with various parties with a view to enhancing their overall participation and contribution to the work of the Commission.

2. As a follow-up to the guidelines set forth by the Economic and Social Council for its functional commissions, and following the established practice, the expanded Bureau held a joint meeting via video-conference with the Bureau of the Economic and Social Council, on 18 June 2001, and with the Bureau of the Commission on the Status of Women on 21 June 2001. The expanded Bureau also participated in the 13th annual meeting of the chairpersons of human rights treaty bodies, on 19 June 2001, as well as in the 8th annual meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, on 21 June 2001. In addition, the Bureau followed closely the deliberations during the substantive session of the Economic and Social Council in July 2001 on the draft proposals submitted by the Commission on Human Rights. It also followed consultations with respect to a draft decision concerning the practice of sharing 1503 procedure confidential material with the Commission on the Status of Women, which was adopted by the Council, as proposed by its President. Consultations were held with the Sub-Commission on the Promotion and Protection of Human Rights and with non-governmental organizations on 31 July 2001. A meeting with the United Nations agencies is scheduled for 21 September 2001. Highlights of all Bureau activities undertaken during the period May-August 2001, including summaries of the post-sessional meetings of the Bureau, were compiled for use by members of the Bureau, as appropriate.

3. At the request of the Chairperson of the Commission on Human Rights, made in consultation with the expanded Bureau, the attention of the one-day informal meeting of the Commission on Human Rights is drawn to the above-mentioned compilation of the Bureau activities which is annexed* to the present note for information purposes and as a contribution to the work of the one-day informal meeting of the Commission on Human Rights in 2001.

4. The attention of the one-day informal meeting of the Commission on Human Rights is further drawn to the summary records of the meetings of the Economic and Social Council and of the Sub-Commission, at which the Chairperson of the Commission delivered statements on behalf of the Bureau of the Commission (E/2001/SR.40 and E/CN.4/Sub.2/2001/SR.1).

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* Reproduced, unedited, in English only.

ANNEX

Summaries of post-sessional meetings and other activities of the Bureau of the 57th session of the Commission on Human Rights during the period from May to August 2001

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Summary of the 1st post-sessional meeting of the Expanded Bureau of the 57th session of the Commission on Human Rights held on Monday, 30 April 2001 (10.00 a.m. to noon, Room IX, PN)

• The Bureau discussed, and took note of the **list of issues to be considered during the intersessional period** proposed by the Secretariat, i.e., relations with ECOSOC (and follow-up to ECOSOC guidance), relations with the other functional commissions of the Council, the NGO Committee in NY and the Sub-Commission as well as the interactive dialogue with the special rapporteurs and the special debate during CHR 58 and follow-up to the World Conference Against Racism (reference: item 1 of agenda).

1. The Chair further proposed that the Bureau reflect on the **methodology** to be used in terms of informing the Commission next year about the activities carried out by the Bureau during the intersessional period.

2. Regarding the **participation of specialized agencies and the Bretton Woods institutions in the work of the Commission**, the Chair indicated that some agencies had complained that 5 minutes (time normally allotted) were hardly enough for a substantive contribution to be made. A number of the specialized agencies did not even participate in the work of the Commission for the same reasons. In this regard, the Chair indicated that opportunities needed to be provided which would enable other members of the UN family to contribute further to the work of the Commission.

3. The Rapporteur (Pakistan) emphasized the need to assess the relevance of **participation of agencies and NGOs** in the work of the Commission. He indicated that if the work of a UN agency has been relevant to the agenda item under consideration by the Commission, they could be given additional time, however he cautioned against the granting of a blanket permission for additional time to the specialized agencies by the Commission. He also proposed that the participation of NGOs be confined to a special segment of two or three days, indicating that the mandate of the Commission was to review the progress made by States and to receive feedback from States about the cooperation achieved from the UN system rather than to constitute a forum for non-State actors to advertize their work.

4. Regarding the **participation of indigenous organizations in the work of the Commission under the relevant item**, it was recalled that organizations dealing with indigenous issues and leaders from these communities were not able to remain in Geneva for an extended period this year due to financial constraints. It was agreed that next year, every effort would be made to ensure that the item is considered on a specific day.

5. Concerning **relations with the Sub-Commission**, the Chair invited comments from the Bureau about any particular messages that they wished to convey to the Sub-Commission, indicating that the Chair's statement before the Sub-Commission during its opening session would be a good opportunity to address those issues. The Asian Group Coordinator proposed that the Chair statement should be based on the resolutions adopted by the Commission by consensus at its 57th session which just concluded, and on the results of the review of mechanisms of the Commission.

6. On the issue of **time-management**, the Coordinator for the Eastern European Group indicated that valuable time was lost in view of the fact that plenary meetings of the Commission did not always start on time.

New/vacant mandates

• A note for the file listing the four new mandates established by the Commission this year as well as those which became vacant (as a result of the resignation of the concerned mandate-holder) was circulated. Regarding (a) Special Rapporteur on the sale of children, child prostitution and child pornography and (b) Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, the Chair hoped that he would be able to designate the new mandate-holders within the next two weeks, after having consulted with the regional groups. Regarding mandate (b) referred to above, some Bureau members emphasized the importance of appointing someone as soon as possible in light of the continued deterioration of the situation in the Middle East. *[Subsequent to the meeting, the Chair decided that he would appoint a special rapporteur for mandate (a) at a later stage, when he makes a decision regarding the new mandates, in consultation with the Bureau, and that he would now give priority attention to mandate (b)]*

1. A draft list for appointments in 2001-2007, which had been circulated to the Bureau, was withdrawn for further revision.

Early action requested from ECOSOC on new mandates

2. Regarding the 4 new mandates established by the Commission this year, Bureau members were informed that, by letter dated 27 April 2001 (copies of which were circulated), the Chair transmitted the relevant information to the President of ECOSOC, requesting the Council's early consideration and endorsement, in accordance with Council decision 1999/256. At the suggestion of the GRULAC Coordinator, a deadline was further set for the submission of candidatures concerning the four new mandates established by the Commission (that is, 10 June 2001) on the understanding that the Chair would make a decision on 18 June (date of 2nd post-sessional meeting of the Bureau). The Secretariat further informed that a Roster was currently being prepared on the basis of names put forward by States and NGOs; the Roster is likely to be operational by the end of May.

Transitional arrangements

3. The Secretariat recalled the decision contained in the Chairperson's statement of 29 April 1999 that "as a transitional measure, office-holders who have served more than three years when their current mandates expire will be limited to at most three years of further renewals in these posts." The understanding of the Bureau and the Secretariat (as expressed at the 7th annual meetings of Special Rapporteurs on 8 June 2000) was as follows: "the transitional measures apply to all mandate-holders, both thematic and country, who have served more than 3 years by the time when their mandates expire. The mandates of all country rapporteurs expire every year while the mandates of thematic rapporteurs expire every two or three years. This means that current office holders who have served more than three years will be entitled to the extension of their mandates, for additional periods of one year, to a total maximum of 3 years. These

transitional arrangements will soon no longer apply and the Secretariat recalled that soon all new mandate-holders, both country and thematic, will fall into the general rule, i.e., a maximum total term limit of 6 years.

• The Chair informed the Bureau about a **letter received from the Permanent delegation of Algeria** by which the Permanent Representative withdrew his request for a legal opinion concerning the validity of the report of the Special Rapporteur on Equatorial Guinea, Mr. Gustavo Gallón, and requested that this decision be conveyed to the Bureau. The Chair indicated that he will also inform the Rapporteur accordingly.

Participation in the annual meetings of special Rapporteurs/Chairpersons of Treaty Bodies

• It was agreed that the Bureau would receive information by e-mail, prior to its next meeting on 18 June, to the extent possible, concerning the annual meetings of special rapporteurs and chairpersons of treaty bodies, respectively, in particular, indicating the most important issues that the Bureau could take up at that time.

Inter-Parliamentary Union

• The Chair indicated that he intended to send a letter to the United Nations Secretary-General concerning the IPU and the need to address the question of their status and participation in the work of the Commission.

• The Bureau is scheduled to hold its **2nd post-sessional meeting on Monday, 18 June 2001 from 10 to noon, Room XXII, PN**, in preparation for its joint meeting with the Bureau of ECOSOC (18 June, 4.00 p.m.); its joint meeting with the Bureau of the CSW (21 June, 4.00 p.m.) as well as its participation in the annual meeting of the Chairpersons of Treaty Bodies (19 June, 10.00 a.m.) and the annual meeting of special rapporteurs (21 June, 10.00 a.m.)

HIGHLIGHTS OF CHR-57 BUREAU ACTIVITIES ON 18 JUNE 2001

I. 2nd post-sessional meeting of the Bureau (10.00 a.m.-1.00 p.m., PN)

• This morning, the Bureau discussed a number of issues, including its **activities for the June/July period**, in particular, relating to the four meetings scheduled for this week: joint meetings with Bureaux of ECOSOC and CSW, scheduled for 18 June and 21 June, respectively, and consultations with the chairpersons of treaty bodies (19 June) and special procedures (21 June). The Bureau members responsible for each of these four meetings described the main points which they intended to develop in their presentations, in accordance with the agendas previously agreed upon with the Bureaux concerned. The Regional Coordinator for the African Group (Kenya) indicated that it was either Kenya or the Libyan Arab Jamahiriya, in their capacity as members of the Expanded Bureau, who would be attending the high-level segment of ECOSOC entitled "Role of the United Nations system in supporting the efforts of African countries to achieve sustainable development (16-18 July)."

• On the item concerning the **appointment of mandate-holders for the four new and two vacant special procedures mandates**, the Chair indicated that, in the course of this week, he will hold consultations with the regional groups in order to make all appointments on Friday, 22 June at the latest. Attached is a copy of the updated version of the tableau of candidates as at 15 June 2001. It was announced that a revised tableau of nominations would be circulated to the Expanded Bureau this coming Wednesday.

• The Secretariat informed that the **working group on the right to development** is provisionally scheduled to meet from 22 to 26 October 2001 (5 days) and 18 to 22 February 2002 (5 days). Regional coordinators were invited to consult their groups and revert with feedback or comments in this regard. With regard to the **working group on structural adjustment programmes**, the regional groups were invited to make proposals regarding the chairmanship of this Group.

• Under the item on **relations with the ECOSOC Committee on NGOs**, the attention of the Bureau was drawn to a number of letters, including correspondence between the Chairman of the NGO Committee and the CHR Chair. The Regional Coordinator for the Asian Group referred to the request made earlier by the Permanent Mission of the Kingdom of Bhutan not to accredit a certain NGO representative to participate in the CHR. His understanding was that, while the Commission Secretariat was not in a position to deny access to the Commission of duly accredited NGO representatives, the Secretariat should have informed the Bureau about the request for accreditation it received with regard to this particular individual. The CHR Secretariat informed that the report of the May session of the NGO Committee would be circulated to the members of the Expanded Bureau as soon as it becomes available.

• Under **other matters**, the attention of the Bureau was further drawn to the request by the special representative of the Commission on the situation of human rights in Equatorial Guinea, Mr. Gustavo Gallón, that his request to visit the country concerned be facilitated.

An unofficial translation of Mr. Gallón's letter into English will be made available to the African Coordinator and other Bureau members at a later stage.

• The chart reflecting requests for information addressed to Governments as contained in the resolutions adopted by CHR 57 was deemed very useful by Bureau members. The Chair proposed that this chart could be forwarded to all Governments by the Secretariat under cover of a note verbale.

II. Joint Bureaux meeting between ECOSOC/CHR (4.00-5.00 p.m., PN)

• This afternoon, the Bureau further held a joint meeting with the Bureau of ECOSOC via videoconference. Due to time constraints (one-hour meeting), the Bureaux were not able to discuss all of the issues placed on their common agenda, which included: follow-up to ECOSOC guidance, contribution by CHR to the work of the Council in 2001, implementation of and follow-up to major UN conferences and summits, relations with NGO Committee in New York and status of IPU. Ambassador Anda Filip (Vice-Chair, Romania)-- who was designated by the CHR Chair as the responsible Bureau member for this meeting-- made a statement on behalf of the Bureau highlighting some of the major points in the work of the CHR and putting forward some ideas on possible ways to enhanced cooperation with ECOSOC and its other functional commissions in the future.

• Particular attention was given during this meeting to the issue of NGO participation generally in the work of the CHR. The Regional Coordinators for the Asian and African Groups and the Rapporteur, spoke about the need for a self-disciplinary approach which should be followed by NGOs and the need for more accountability in their activities. The Secretary of the NGO Committee, Ms. Hanifa Mezoui, suggested that close coordination should continue between the two secretariats, including the attendance by the CHR Secretariat of NGO Committee sessions and vice-versa.

• The ECOSOC Secretariat informed that they will convey the theme for next year's high level segment in advance to the CHR Bureau in order to allow the Commission to make a contribution.

• The ECOSOC Bureau accepted the proposal made by the CHR Bureau to have a further joint meeting during ECOSOC's substantive session in July in Geneva to continue the discussion.

HIGHLIGHTS OF CHR-57 BUREAU ACTIVITIES ON 19 JUNE 2001

Participation in the 13th annual meeting of the Chairpersons of Human Rights Treaty Bodies

- The Expanded Bureau of Commission held consultations today with the chairpersons of the treaty bodies, looking in particular at ways by which cooperation may be further enhanced between the Commission on Human Rights and the treaty bodies. The issues on the common agenda included: status of the human rights treaty bodies and their participation in the CHR; follow-up to resolutions and decisions adopted by the CHR which refer to the treaty bodies and other matters. The Rapporteur of the Commission, Mr. Imtiaz Hussain, made a statement on behalf of the Bureau, underscoring the special importance which the Commission accorded to its relations with the treaty bodies. He said that the CHR considered the treaty bodies to be important partners in the implementation of human rights standards and that the Commission had traditionally been inviting chairpersons of treaty bodies to attend CHR sessions whenever such a request was received.

- The exchange of views primarily revealed that both the CHR Bureau and the chairpersons of treaty bodies were very keen on attaining greater cooperation and finding ways by which this may be established. In this context, the chairpersons of treaty bodies indicated that they had not been aware that the Commission traditionally extended what they referred to as "standing invitations" for them to attend CHR sessions. In the absence of specific funds for such activities, most of them would not be able to attend CHR sessions though they welcomed the opportunity to do so.

  - The **Chair of the 13th annual meeting** (and Chair of the Committee on the Elimination of Racial Discrimination) informed that the chairpersons of treaty bodies had decided that they should be able to present their reports in person to their parent body, that is the General Assembly, while recognizing the financial implications involved. The CHR Bureau members collectively supported this position. The need for equitable geographical distribution in the membership of the treaty bodies as well as for gender balance was emphasized by the **Chair of the Human Rights Committee**. He further referred to the on-going efforts of the CHR to encourage the ratification of the main human rights treaties. He also insisted that relevant CHR resolutions should be brought to the attention of the treaty bodies concerned. The **Chair of the Committee on Economic, Social and Cultural Rights** referred, inter alia, to the CHR resolution which encouraged the Committee to enhance cooperation with UN organs, stating that the Committee had already taken the initiative to do so, for example, with UNESCO. The **Chair of the Committee on the Rights of the Child** sought the support of the CHR in terms of increasing the composition of the Committee to 18 members, and further requested the views of Bureau members in terms of which proposals in the Bayefsky report the Commission deemed to be the most pertinent and could be implemented. The **Chair of the Committee on the Elimination of Discrimination against Women** stated that the Committee regularly presented its report to the General Assembly because appropriate budgeting provisions were undertaken for that purpose. The CEDAW Chair also participated in CHR sessions and hoped that this type of cooperation would continue.

The **Chair of the Committee against Torture** expressed the Committee's appreciation for the way in which the CHR had been supporting the work of the working group mandated with the drafting of an optional protocol to the Convention.

- In terms of enhancing the effectiveness of relations between the Commission and the treaty bodies, the CHR Bureau proposed that the **annual meeting of treaty bodies could perhaps be scheduled during or around the regular session of the Commission** so as to allow the widest participation possible by the treaty bodies in the work of the Commission, which would effectively eliminate the financial burden currently hampering such participation. The Secretariats of the Commission and the annual meeting of treaty bodies were requested to ascertain if this proposal was feasible in terms of the conference services required.

- **The CHR Chair suggested that the chairpersons of treaty bodies should try to produce a catalog of their thinking of ways of improving their respective operations in the UN system, including the CHR**. The Chair pledged that he would convey the key points underscored by the treaty bodies in his message to the 58th session of the Commission, hoping that, in the future, some of the ideas put forward by the treaty bodies could be included in CHR and ECOSOC resolutions.

HIGHLIGHTS OF THE CONSULTATIONS BETWEEN THE BUREAU AND THE 8TH ANNUAL MEETING OF SPECIAL RAPPORTEURS [21 JUNE]

(Revised on 22 June)

- Participants met with the Bureau of the Commission of Human Rights and with the representatives of the Regional Groups. Ambassador Despouy, Chairperson of the fifty-sixth session of the Commission on Human Rights, welcomed the opportunity to exchange views with Commission rapporteurs and experts and gave the floor to Ambassador Álvaro de Mendonça e Moura who addressed the meeting on behalf of the Bureau.

- Ambassador Álvaro de Mendonça e Moura welcomed initiatives to implement an "interactive dialogue" between the Commission on Human Rights and mandate holders, stating that innovative ways should be sought in order to address the need for more interactive dialogue within existing time constraints. The Bureau had yet to formulate a concrete position on this matter but some possibilities came across during its discussions, namely: to use the model of the Third Committee; to devote a full day of the CHR to debate with 2 or 3 selected special rapporteurs covering thematic and civil, political, economic, social and cultural rights procedures; to invite two or three mandate holders to participate in the special debates of the Commission and to enhance the role of parallel meetings. This last proposal was further discussed and welcomed by several participants. It was proposed that parallel briefings by special rapporteurs during CHR sessions could be headed by a Vice-Chair thus giving them a more official character.

- The Regional Coordinator for the Asian Group stated his Group's position that the interactive dialogue should follow the same pattern as in the Third Committee, that is, a debate between Governments and the special procedures. The Asian Group had doubts about the idea of having 2 or 3 selected special rapporteurs conduct the interactive dialogue. The Coordinator further said that the debate should not have a formal outcome in order for it to be productive. He also recalled the various suggestions made by the Group in the Commission under agenda item 3 ("Rationalization of the work of the Commission"), including, the biennualization of resolutions and of the discussion of items, respectively, indicating that all such ideas needed to be explored and discussed further.

- A proposal was made to expand the use of private meetings of rapporteurs with the different regional groups as the right forum for mandate holders and Government representatives to exchange views. Both sides welcomed this proposal: rapporteurs were invited to approach regional co-ordinators in this regard and rapporteurs invited the Bureau to encourage regional groups to extend this practice.

- Many rapporteurs expressed their concern and disappointment with the way the Commission on Human Rights debated their reports, leaving little room for dialogue. It was felt that one of the major obstacles to this dialogue was the overlap between the debates of different mandates, which caused constant interruptions and expanded the debate on one single mandate along different meetings. In some cases this practice even prevented mandate holders to be present during the complete discussion of their mandates, as due to resource constraints, they could not extend their stay in Geneva.

- The need to further explore ways to strengthen the dialogue of the Commission on Human Rights with other UN agencies and, in particular, with the Bretton Woods institutions, was brought up by several participants. Reference was made by the CHR Chair to the consultations to be held in July between the Bureau and the specialized agencies in this context.

- On the issue of documentation, Ambassador Mr. Álvaro de Mendonça e Moura welcomed the practice of including executive summaries, which are beneficial to all involved and he strongly recommended that this practice apply to all documents, including mission reports. Although rapporteurs acknowledged the value of executive summaries, several of them expressed their concern with the dangers of simplification. A suggestion was made to use executive summaries as a way to provoke and focus the discussions of the Commission on certain issues.

- Many Rapporteurs expressed their frustration with the fact that even in the cases in which they had complied with the deadlines established reports were sometimes only issued on the same day of the discussion at the Commission. It was proposed that in order to facilitate debates, the edited English version of the documents be made available as a "working document" prior to the official issuing of the documents in all the official languages. The Regional Coordinator for the Asian Group called attention to the suggestions made by the Secretariat in the paper on the overall question of documentation, which was circulated to all participants.

- Ambassador Mr. Álvaro de Mendonça e Moura informed participants about the informal one-day meeting that the Commission on Human Rights would be holding on 25 September 2001. He invited the Chairperson of the special procedures annual meeting to participate in that informal meeting and encouraged those mandate holders presenting a report to the General Assembly to send the executive summaries of their reports to the Bureau of the Commission before September in order to better assist delegations in their preparations for the upcoming debates in the 3rd Committee.

- Several rapporteurs expressed their concern that the increase in the number of special procedures mandates was not paralleled with an increase in funding. This also had a direct impact on the efficiency of the special mechanisms. Concern was also expressed regarding the increased dependency on earmarked voluntary contributions and the consequences that this may have on the independence of the special mechanisms. In this context, the establishment of a general pool for voluntary contribution for special procedures was welcomed. The clustering of mandates was raised as a possible alternative when sufficient funds were not available, which would also help to avoid duplication. However, it was also felt that the clustering of mandates would still require the same resources in the Secretariat to deal with the subject matter and the information collected and acting on it.

- Rapporteurs asked for the support of the Bureau in those cases in which Governments were not co-operating with the special mechanism and for its support to uphold international instruments. Rapporteurs also indicated the importance of maintaining their existing working practices, as the right to issue press releases while on mission and the right to travel to third countries to gather relevant information when access was not granted by concerned countries. A

call for more dignity in the debates was called and concern expressed regarding personal attacks against mandate-holders.

- In his closing remarks, Ambassador Despouy invited the special procedures mandate holders to address their worries in writing to the Bureau in the context of a continued dialogue in the coming months (possibly in July) and in order to come up with concrete proposals on how to improve co-ordination.

- The Chair of the 8th annual meeting of special rapporteurs indicated that, in terms of the implementation of the CHR resolutions on the occupied Palestinian territories and the Chechen Republic of the Russian Federation, the special rapporteurs would be individually and simultaneously requesting invitations from the Governments concerned.

HIGHLIGHTS OF THE JOINT MEETING OF THE CHR 57 BUREAU WITH THE CSW 45 BUREAU VIA VIDEO-CONFERENCE ON 21 JUNE 2001

The CHR Expanded Bureau held the second hour-long joint meeting via video-conference today with the CSW Bureau - the first having been held in November 1999. The meeting covered practical steps to achieve cooperation between the two Commissions, including reciprocal attendance of the Chairs, exchange of documentation and the preparation of joint reports, a presentation of the issues dealt with by each Commission of relevance to the other and interaction between the 1503 procedure and the confidential communications procedure of CSW. Ambassador Al-Hajjaji (CHR Vice-Chairperson) acted as moderator.

Both Ambassador Al-Hajjaji and Ms. Dubravka Šimonovic (CSW Chair) underlined the importance of striving for greater cooperation and coordination as a means of achieving the integration of the human rights of women into the United Nations system of promotion and protection of human rights, backing mutual efforts by citing, inter alia, specific resolutions and in the Beijing Platform for Action. Ambassador Anda Filip (CHR Vice Chairperson), referring to Monday's video conference between the Bureaux of ECOSOC and CHR, noted the merit of sharing very good and best practices among the functional commissions. Ambassador Despouy (CHR Chair), referred to the United Nations System's commitment to seeing how various bodies harmonized their work. Aside from the advantages gained from cooperation, namely avoiding duplication and raising awareness, Mr. Imtiaz Hussain (CHR Rapporteur) felt that it was important to find practical modalities to evaluate the impact of cooperation on the status of Women.

The CSW Chair extended an invitation to the CHR Chair to attend the next session of CSW and voiced the CSW Bureau's support for reciprocal attendance at the annual sessions of the Commissions of their Chairs. This announcement was warmly received by the CHR Chair.

The CSW Chair stated that the CSW Bureau welcomed an exchange of documentation and mentioned, in this connection, the need for a mandate in relevant resolutions. The CSW Bureau also supported the idea of links between the OHCHR and DAW websites. Ways needed to be found to proceed with the idea of joint Commission reports.

Ambassador Al-Hajjaji enumerated the issues dealt with by CHR of relevance to CSW (please see her attached statement under item 3) and Ms. Atsuko Nishimura (CSW Vice-Chairperson) informed the CHR Bureau of major issues dealt with by CSW relevant to CHR, including agreed conclusions on HIV AIDS and on all forms of racism, racial discrimination, xenophobia and related intolerance. Ambassador Anda Filip mentioned that an informal group of over 20 Women Ambassadors in Geneva is drawing from the CSW agreed conclusions on racism for inclusion in the Programme of Action for the World Conference Against Racism.

On the item on sharing confidential 1503 material with CSW (please see Ambassador Al-Hajjaji's statement under point 4.) the CSW Chair informed the CHR Bureau that the issues of concern to CHR had been raised in closed meetings of CSW. CSW asked member States to send written opinions on the matter. Furthermore, CSW requested the Secretary-General to prepare another report on its communications procedure which would include these opinions. With this report, CSW planned to produce recommendations and comments for CHR's consideration and, in this connection, she said that CHR's decision to postpone its consideration of the matter had been key. She felt that it was important to distinguish the CSW procedure from the 1503 procedure, the objective of the former being to identify global trends and of the 1503 procedure to reveal gross violations in particular countries. When the situation had been further clarified at CSW's next session with the anticipated report, the way forward would become clearer.

The CHR Coordinator of the Asian Group, Mr. Sharat Sabharwal, stated that the practice of sharing 1503 confidential material involved duplication and had no legal basis. The 1503 procedure did not envisage the flow of information away from it. CSW had now been asked twice for comments. He further stated that, although the Asian Group awaited input from CSW, it overwhelmingly was of the opinion that the practice should stop in the interim.

Due to lack of time, the agenda items on NGO participation in the work of both Commissions and other business, including the participation of CHR mechanisms at CSW's sessions, could not be covered. It was felt that these important issues deserved attention and warranted more contact and could be taken up at the third joint meeting to be held after the World Conference Against Racism.

Summary of the 3rd post-sessional meeting of the Expanded Bureau of the 57th session of the Commission on Human Rights held on Friday, 22 April 2001 (10.00 a.m. to noon, Room XXII, PN)

1. Round-up of consultations held this week

• **Highlights of the discussions** held by the Bureau this week were distributed[1]. All members concurred that the discussions proved useful. The Chair emphasized that it was important to give thought to the difficulties inherent in improving the system. He said that the special procedures and treaty bodies were prompted to give their views and to offer constructive criticism so that the Bureau can reflect on how to arrive at consensus so as to enrich and enhance its role today and in the future.

• On **possible follow-up** to the consultations with special rapporteurs and treaty bodies, the GRULAC Coordinator proposed that an alternative to the special debate in the Commission one year could be a dialogue with the special rapporteurs, the treaty bodies and the Secretariat during 2 or 3 meetings earmarked for that purpose. Ambassador Al-Hajjaji (Vice-Chair) also indicated that a dialogue with the special procedures was more effective than a simple exchange of correspondence. The Asian Group Coordinator stated that the work of the Bureau was essentially in the area of procedures and said that some of the limitations inherent in the holding of additional consultations with the special procedures and or treaty bodies should be kept in mind.

• Members of the Expanded Bureau warmly thanked the Secretariat for the strenuous efforts undertaken in preparation for the Bureau activities this week and for its prompt preparation of summaries highlighting the key issues discussed.

2. Nominations

• The Chair thanked all the regional groups for the open-mindedness and sensitivity all had shown toward him in dealing with this very delicate item. Ambassador Despouy then proceeded with announcing the appointments of the 6 mandate-holders, two of which are from Latin America, two from the Western Eurepean and other States Group and two from the African Group, as follows:

- **Special Representative of the Commission on the situation of human rights in Bosnia and Herzegovina and the Federal Republic of Yugoslavia:** José Cutileiro (Portugal)

- **Special Rapporteur on the situation of human rights in the Palestinian territories occupied territories since 1967:** Mr. John Dugard (South Africa)

- **Independent Expert to examine the question of a draft optional protocol to the International Covenant on Economic, Social and Cultural rights:** Mr. Hatem Kotrane (Tunisia)

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[1] The Bureau held four major activities during the week 18-22 June, namely:

- Joint meeting with the Bureau of ECOSOC *via videoconference* (18 June);
- Consultations with the 13th annual meeting of chairpersons of treaty bodies (19 June);
- Joint meeting with the Bureau of CSW *via videoconference* (21 June); and
- Consultations with the 8th annual meeting of special rapporteurs (21 June).

- **Independent Expert to examine the existing international criminal and human rights framework for the protection of persons from enforced or involuntary disappearance:**
  Mr. Manfred Nowak (Austria)

- **Special Rapporteur on the sale of children, child prostitution and child pornography**
  Mr. Juan Miguel Petit (Uruguay)

- **Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people:** Mr. Rodolfo Stavenhagen (Mexico)

• Concerning the mandates on Somalia and Haiti, respectively, the Chair indicated that he was very pleased to have been able to look at the various possibilities with the Office of the Secretary-General in New York, an effort which led to the recent appointment by the Secretary-General of the new Independent Expert on the situation of human rights in Somalia. He further said that the Secretary-General will soon be appointing a new independent export for Haiti, possibly from Africa because of the historic links.

• The Chair deeply regretted that none of the new appointees was a woman, stating that among all candidates, only two women were nominated for the same mandate. He appealed to States, when submitting proposals for the Roster, to nominate female candidates to the extent possible.

• The members of the Expanded Bureau collectively thanked the Chair for taking into consideration the views of the regional groups with respect to the nominations, expressing their gratitude for the huge effort made on the part of the Chair in this regard. Efforts will continue on the part of all concerned to ensure wider participation in the nominations process in the future. All were grateful that the Chair had conveyed his personal thinking on these nominations to the Bureau.

Item 3-4 Schedule of activities for July 2001/Any other business

• It was agreed that the CHR Chair would lead the discussions during the **consultations with the specialized agencies** (27 July) and with NGOs (31 July).

• The Bureau was informed of the suggestion of the Chair to have a **closed meeting with the Sub-Commission** on 1 August 2001 at 10.00 a.m.

• It was further confirmed that the Permanent Representative of Kenya will be participating in the **High-Level Segment of ECOSOC** on sustainable development of Africa.

• The Asian Group Coordinator indicated that he would convey to the Permanent Delegation of Iran the unofficial translation of the letter of 29 May addressed to the High Commissioner for Human Rights by the President of **Nuevos Derechos del Hombre** and will inform the Bureau of any reaction.

- The Secretariat informed that, in accordance with established practice, the CHR Chair forwarded a letter dated 27 April 2001 from the Permanent Representative of Cuba to the Chairperson of the **NGO Committee** in New York concerning the participation of Freedom House in the work of the 57th session of the CHR.

- In accordance with the practice followed by the 56th Bureau, **Information Notes** on the 7th session of the working group on minorities and the 26th session of the working on contemporary forms of slavery were distributed to the members of the Bureau for information.

- The Secretariat circulated a **draft note verbale to all Missions** under cover of which a chart highlighting requests for the submission of information addressed to Governments, as contained in resolutions adopted by CHR-57, would be enclosed. No objections were raised by the Bureau in terms of the dispatch of this chart to all Missions.

Summary of the 4th post-sessional meeting of the Expanded Bureau of the 57th session of the Commission on Human Rights held on Thursday, 26 July 2001 (4.00 -7.00 p.m., Room V, PN)

- The Bureau agreed on the general issues to be discussed during its upcoming **consultations** with the specialized agencies, NGOs and the Sub-Commission[2].

- Concerning the dates for the **Working Group on the right to development**, the Secretariat informed that the Chair of the Working Group favoured the holding of two one-week sessions. The proposed dates would be as follows: from 3 to 7 December (1st week); and from 17 to 22 February (2nd week).

- The Secretariat further informed that a request had been made to change the dates of the **Working Group on the drafting of a declaration on the rights of indigenous peoples**, currently scheduled from 19 November to 1 December 2001. The possible dates, according to Conference Services, could be as follows: from 15 to 26 October (1st option); or from 3 to 14 December (2nd option). If the second option is retained, there would be an overlap with the first week of the Working Group on the right to development (once the dates have been confirmed).

- The Regional Coordinator for the WEOG indicated the 1st option would be problematic and that the 2nd option was preferable.

- The Chair requested the regional coordinators to convey the information and dates provided by the Secretariat to the regional groups and to revert with some feedback at the next Bureau meeting.

- The Secretariat further indicated that no information had been received as of yet from the regional groups with respect to the **Working Group on structural adjusment programmes and economic, social and cultural rights**.

- The Chair recalled the methodology followed with respect to the recent appointment of special procedures mandate-holders, reiterating the transparent, democratic and collective process involved and he thanked the Bureau for the support it lended in this connection.

- The Regional Coordinator for the Eastern European Group referred to the overlapping between the Bureau consultations with the UN agencies on 27 July and the 3rd Prep Com Bureau meeting. He also indicated that there was an overlap between the one-day informal meeting of the Commission (25 September) and the ECE two-day meeting at the ministerial level on 24 and 25 September.
- The Bureau will hold its next meeting on 1 August, from 3.00 to 5.00 p.m., Room V, PN.

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[2] - Consultations with the UN agencies: Friday, 27 July 2001, from 10.00 a.m. to 1.00 p.m., Room V, PN)
- Consultations with NGOs: Tuesday, 31 July 2001, from 3.00 to 6.00 p.m., Room IX, PN)
- Meeting (closed) with the Sub-Commission: Tuesday, 31 July, from 11.30 a.m.- 1.00 p.m., Room XVIII, PN)

THE CONSULTATIONS OF THE BUREAU WITH UN AGENCIES SCHEDULED FOR 27 JULY WERE CANCELED FOR LACK OF QUORUM.

ANOTHER MEETING HAS BEEN TENTATIVELY SCHEDULED FOR FRIDAY 21 SEPTEMBER FROM 10.00 A.M. TO NOON, ROOM XI, PN

30 July 2001

NOTE FOR THE FILE

Sharing 1503 confidential material with the Commission on the Status of Women

UPDATE

1. The Economic and Social Council held informals on 26 July 2001 on the draft decision submitted by Saudi Arabia and Pakistan concerning the practice of sending confidential 1503 information to the Division for the Advancement of Women (DAW) for CSW. Consensus was reached which, in essence, requests CHR to make recommendations on the issue to the Council for its consideration at its next substantive session.

2. The consensus (**unedited**) text was adopted by ECOSOC on 26 July 2001 and reads as follows:

"Confidentiality of the 1503 (Confidential Communications) procedures
Submitted by the Vice President of the Council, Mr. Ivan Simonovic (Croatia), on the basis of informal consultations

The Council, in accordance with its resolution 2000/3, para 9
1. Reaffirming the principle of confidentiality as set out in the 1503 procedure
2. Takes note of deep concerns of some member states on the practice of forwarding confidential monthly lists from the OHCHR to DAW
3. Requests the CHR to consider this issue at its 58th session in the light of the 1503 procedure of the ECOSOC and other information pertaining to the 1503 procedure and to provide concrete recommendations to the Council
4. Decides to consider this issue at its next substantive session"

HIGHLIGHTS OF THE CONSULTATIONS OF THE CHR-57 BUREAU WITH THE SUB-COMMISSION [31 JULY]

- The meeting was welcomed by all as an opportunity to establish a constructive dialogue and hope was expressed that it would become an annual exercise, perhaps through a Commission resolution.

- A number of **Sub-Commission experts** were of the view that a wider scope of interventions at the Commission in fact narrowed the possibilities for an in-depth analysis of the issues, added to the fact that not enough time was allocated for the discussion of draft resolutions. This was believed to affect the content and quality of the work of the CHR. The parent body was also criticized by some for its micro-management policy, stating that the Commission should not prone for others what it should be doing itself. Further, the Sub-Commission should not be considered as an appendix to other bodies to which it does not have a constitutional linkage. Emphasis was placed on the fact that requests by other bodies for action by the Sub-Commission should be channeled through the Commission.

- Recent attempts by the Commission to deal with economic, social and cultural rights were acknowledged and deemed serious and positive (i.e., new mandates on food and adequate housing). But the Commission was criticized for not building on what it established, not giving enough attention to special procedures reports, and for not monitoring the performance of its own mechanisms. The availability of resources for the servicing of new mandates--or lack thereof--was also a concern.

- The Commission was requested to find a formula allowing it to keep abreast of reports produced by the Sub-Com, with many experts defending their right to be heard. Finding the proper channel or mechanism to defend and make known draft decisions of the Sub-Com (perhaps through the CHR Chair to the incoming CHR) was also a key concern.

Specific issues raised by the experts

- Strong concern was expressed that the CHR did not find it appropriate for *the Working Group on the administration of justice* to meet inter-sessionally, that is, two days prior to the Sub-Commission.
- *Social Forum*: the CHR was asked to reconsider its position on this matter and to allow for an intersessional forum on economic, social and cultural rights.
- The CHR was encouraged to reconsider its position on the question of *access to water* (proposal for study rejected twice by CHR).
- *Reservations to human rights treaties*: the Commission was criticized for leaving it up to the ILC to study the matter because, according to the experts, the ILC was not examining detailed reservations and precise terms made by States to human rights treaties but was rather examining the issue globally. The fact that the Sub-Commission was asked by its parent body to respond to requests by treaty bodies was problematic because, on the one hand, CERD asked for a Sub-Commission report on reservations to human rights treaties, but, on the other, the Commission opined in the interim that the ILC should deal with the subject matter.

Draft proposals/studies

- It was stressed that a number of Sub-Com documents were still pending. Such inaction was criticized - either reject or adopt.
- The Commission was deemed to lack balance in its approach. Most of Sub-Com studies originate from Western part of northern hemisphere, which has a negative impact on wish of experts from southern hemisphere to participate in such studies. Concern was also expressed that most draft studies drawn up by African experts were not adopted by the Commission.
- The rejection of studies without due or appropriate justification was cause for serious concern (i.e., proposal for study on issue of access to water rejected twice-proposal for study on the Roma was rejected despite positive feedback and mention by HC). The criteria used by the CHR for rejecting proposals for studies were requested.

32-page limit on reports: such limitations did not pave way for serious studies. Some experts were of the view that this rule should be waived for all important studies.

- *Appointment of mandate-holders*: the very low percentage of women mandate-holders was noted and emphasis placed on integrity, knowledge of subject and moral standing as the key criteria for such appointments. It was said that politicization of this process should be avoided. Specific guidelines for the appointment of special rapporteurs could be formulated for consideration by future Bureaux when considering appointment of mandate-holders.

- The experts deemed it difficult to *implement the provisions of 2001/60* given the time constraints and existing limitations. The Commission was requested to reconsider a number of decisions it adopted, namely decisions 104; 59; 114; 113 and 55, which were brought out and called forth discussion on the relationship between the Sub-Com and its parent body.

Comments by CHR Bureau

- The **CHR Chair** indicated that the comments made by Sub-Commission experts were honest and appropriate and that they will be remitted to the 58th session of the Commission in an effort to improve interaction between the two bodies. Referring to the recent appointment of mandate-holders, he recalled the methodology used, the rounds of consultations with the regional groups, paying particular tribute to the CHR Bureau for its strong support and backing throughout the process. In an effort to respond to the concerns voiced by the experts that more attention ought to be afforded to their draft proposals, the Chair proposed that, similar to the procedure followed by the ECOSOC in terms of early action on CHR draft proposals--, the Commission could also undertake early consideration of some draft proposals submitted by the Sub-Commission, possibly in September during its one-day informal meeting.

- The **Rapporteur**, on behalf of the Bureau, expressed gratitude to the Sub-Com members for their honest account of how they looked at CHR. He emphasized that when the CHR discusses the Sub-Commission, it values the work done by all experts and gives due respect to the studies and proposals submitted. He hoped that existing difficulties will not deter the Sub-Commission experts from contributing to

the work of the CHR, stating that the CHR looked to the Sub-Commission for guidance on a number of issues.

- The **Permanent Representative of the Libyan Arab Jamahiriya** agreed with the view expressed by some experts that there was an attempt to marginalize and weaken the Sub-Commission, inter alia, because it dealt with economic, social and cultural rights and women's issues. She also concurred with the fact that there was no room for analysis at the Commission because reports were not issued timely and were not made available in all the languages. She said that Libya had supported the access to water study in the past, cautioning that upcoming wars will be wars on access to water, particularly in the Middle East. She concluded by stating that the work of the Sub-Commission was of extreme value.

- The **Regional Coordinator for GRULAC** stated that she will duly convey the views expressed by the experts to her Group. She emphasized that, within GRULAC, there is full acceptance of the criteria of integrity, knowledge of subject matter and moral standing and that these same criteria were followed in the Group's consideration of all mandates, with due account being given to geographical distribution. The candidate proposed by GRULAC for the positin of special rapporteur on indigenous issues was proposed by civil society and the Group felt it was important to convey and support this view. Criteria above were used by Chair for all the appointments made. She said that the work of the Sub-Commission was essential for the political work taking place at CHR.

- The **Regional Coordinator for the Eastern European Group** stated that all recommendations and decisions adopted by CHR were far from ideal, but that they were the result of compromise. On the length of reports, he said that small delegations had to be selective in terms of reports they read and that, consequently, documents should be concise and clearly stated. He said that the 32-page limit was acceptable to his Group.

- The **Chair of the Sub-Commission** concluded the meeting by stating that the dialogue was very necessary, and that he was confident that the CHR Bureau would take the views expressed into account and try to solve the problems described. The dialogue should continue, perhaps also between the CHR and Sub-Commission Chairs so that the issues may be resolved in a concrete way. "We part in a spirit of friendship and the hope of reaching concrete solutions from this dialogue".

HIGHLIGHTS OF THE CONSULTATIONS OF THE CHR-57 BUREAU WITH THE NON-GOVERNMENTAL ORGANIZATIONS [31 JULY - PM]

Participation of NGOs in CHR sessions - concerns raised by NGOs

- Strong emphasis was placed by a number of participants on the need to establish a mechanism of protection for human rights defenders in light of the risks they faced in their own countries, particularly after speaking out against human rights violations in the Commission. There was also the concern that NGOs coming from abroad to follow the item on human rights defenders were no longer there when it was taken up. It was also stated that many NGOs coming from abroad get to speak very late in the night on issues of great importance to them, and are hence denied the opportunity to be heard by a large governmental audience.

- The need to systematically reflect on the experience and the results achieved following the recent review of mechanisms of the Commission was emphasized.

Statistics

- Information was requested as to the changes, if any, that joint statements have brought about in terms of enhancing the effectiveness of the CHR. This was not represented in the current statistics.

Joint statements

- A number of NGOs were already coming to the CHR with a lot of synthesis and joint work before even attempting to elaborate joint statements with other NGOs, which created another set of challenges. Many felt that an objective evaluation and reflection on the effectiveness of joint statements by NGOs was needed.
- CONGO informed about its efforts to brief new NGOs on the mechanisms of the CHR and the possibilities of coming together to produce joint statements.

Seating arrangements

- It was stressed that there was not enough space for NGOs in conference room XVII. Arrangements needed to be made in order to provide additional microphones.

Interactive dialogue with special rapporteurs emphasized

- A proposal was made for the CHR to engage with 2 special rapporteurs per session in a real interactive dialogue with States and NGOs for an in-depth discussion of the issues.

Distribution of statements

- NGO statements were not systematically distributed to States and vice-versa in the Commission.

Participation in consultations/drafting process of draft resolutions

- NGOs are increasingly being barred from participation in such consultations, which has resulted in the weakening of human rights language in some resolutions. Hope was expressed that in future, progress will be achieved in terms of allowing NGOs to participate in an open-ended process of consultations and in the drafting of proposals.

Committee on NGOs

- Possibility of having complaints by Governments about NGOs participating in CHR looked at in Geneva.
- CONGO indicated that it has already had the opportunity to establish dialogue with the NGO Committee Chair in NY, a practice which has been institutionalized, indicating that the Committee Chair had expressed the wish to remain in close contact with NGOs. Possibility, through CONGO, to remit concerns to NGO Committee.
- Proposal made for CHR Chair to perhaps set out some facts before forwarding complaints by States to NGO Committee in NY.
- Inflation of NGOs in consultative status is a concern, particularly (a) in terms of criteria used for granting such status; (b) increased number of new NGOs defending Governments.

Comments by the Bureau/Secretariat

• At the request of one participant, the **CHR Chair** recalled some of the Bureau activities during the intersessional period, including its consultations with the annual meetings of treaty bodies and special rapporteurs, respectively, the Sub-Commission, and with the Bureaux of ECOSOC and CSW, respectively, via videoconference. He raised the possibility of producing a report to the CHR on the Bureau activities during the intersessional period which could be made available to NGOs.

• Referring to some of the concerns voiced by participants, Ambassador Despouy mentioned the *possibility of reserving special days for NGOs to intervene on certain issues*, as was the case this year for the item on indigenous issues where the concerned NGOs intervened on one day. The Chair will recommend that the incoming Bureau do the same.

- The Chair agreed that the *proper mechanisms should be established to ensure dialogue with special rapporteurs.*
- He intended to recommend to the incoming Bureau that *weekly meetings with NGOs* continue during CHR sessions.
- The *focal point for NGOs could perhaps attend pre-sessional meetings of the Bureau* in preparation for the annual session to discuss issues of mutual concern on behalf of NGOs (CRP, speaking time etc).
- *NGO Committee*: The Chair indicated that the issues raised were complex and that there was a problem of procedure. The Bureau was not competent to do anything other than to convey complaints to the NGO Committee. *The Chair will remit the concerns voiced by NGOs* to the NGO Committee in the context of upcoming discussions. He invited interested NGOS to submit comments to the Secretariat in this context.
- *Consultations on resolutions* are becoming increasingly closed said the Chair, indicating that a lot of concern had been expressed on this issue by States and

NGOs alike. A forum needs to be established which would enable civil society to participate in the drafting process of resolutions.

- The Chair welcomed proposals by NGOs for better interaction during *the one-day informal meeting of the Commission* since the Bureau will soon be discussing the modalities for this meeting.
- The Chair stressed importance of introducing new technologies and being innovative in terms of the work of the CHR. He said that the experience of having regular meetings with the press this year (i.e., lunches etc) made a difference. He proposed that TV recording of proceedings might also be a good innovation, which is likely to have an immediate effect on the media. The logistics and financing would need to be ascertained but this could contribute to a wider dissemination of the work of the CHR.

• The **Secretariat** indicated that next year's *statistics* at the CHR will include information about joint statements in order to ascertain the progress achieved in this regard.

- *Distribution of documents*: Currently, there is a gentlemen's agreement that regional coordinators are entitled to have all documents, at least in English, at the beginning of the CHR in March. The possibility could be ascertained for NGOs to enjoy the same privilege next year.
- *Briefings by special rapporteurs*: NGOs could perhaps be advised ahead of time, at least one month in advance, of the days specifically reserved for briefings of special rapporteurs during the CHR.

• The **Regional Coordinator for GRULAC** recognized importance of dialogue with NGOs, particularly in the work of working groups. For example, with respect to the Working Group on elaborating an optional protocol to CAT, for GRULAC, the support of, and contributions by, NGOs were deemed fundamental. She said that other substantive working groups on international standards similarly needed contributions by NGOs. She further stated that the support of NGOs was instrumental to the work undertaken by GRULAC during the CHR and hoped that the support of NGOs will continue to strengthen the overall contribution of GRULAC in field of human rights.

Summary of the 5th post-sessional meeting of the Expanded Bureau of the 57th session of the Commission on Human Rights held on Wednesday, 1 August 2001 (3.00 -5.00 p.m., Room V, PN)

Round-up

- The **CHR Chair** briefly evaluated the activities conducted by the Bureau during its last marathon round of meetings. He regretted the fact that the meeting with the specialized agencies was canceled for lack of quorum and said that he intended to convene another meeting on 21 September. Recalling the significance and importance of the consultations held this week with the Sub-Commission and NGOs, the Chair hoped that the discussion with the UN Agencies would also constitute a unique opportunity for an exchange of views on issues of mutual concern.

- The **Regional Coordinator for the Asian Group** said that the meeting with the Sub-Commission was welcomed by both sides and proposed that such consultations should become an annual feature, however stressing that more time was needed for an exchange of views of this relevance. The **representative of Portugal** further proposed that some of the suggestions put forward in the context of the Bureau activities this week, including by NGOs, could be discussed at the next Bureau meeting. **Bureau members collectively** emphasized the importance of the consultations held by the Bureau this week, the Sub-Commission, in particular, and supported the proposal to continue with this practice as well as to consider some of the concrete proposals made, during the next meeting of the Bureau.

- The **Permanent Representative of the Libyan Arab Jamahiriya** was of the view that the ECOSOC decision on the 1503 confidential communications procedure, which was adopted by the Council on 26 July, was a positive step towards the resolution of the problem. Regarding a possible meeting with the UN agencies, Ambassador Al-Hajjaji impressed upon the Secretariat to obtain a confirmation in writing from those agencies that are interested in participating in this dialogue in order to avoid the recurrence of lack of quorum.

Working Groups

A note verbale dated 25 July 2001 from the Chairperson of the **Working Group on the right to development** was circulated. In this note verbale, Ambassador Dembri provided the dates that had been retained for the Working Group, namely, from 3 to 7 December (1st session) and from 18 to 22 February 2002 (2nd session). WEOG continued to have a reserve on the 1st week of December; the Asian Group agreed with the dates proposed by the Chair and urged other Groups to do the same. Further consultations on this matter at the level of the regional groups will continue.

- The Chair informed the Bureau that Algeria might be interested in holding the African expert seat in the **Working Group on Arbitrary Detention** but that Ambassador Dembri was still in the process of consulting within the African Group before a final decision is taken in this regard. The Chair hoped that the candidate ultimately selected would be a woman so that gender balance may be maintained.

One-day informal meeting of the Commission (25 September)

• Following a request for clarification by the **Permanent Representative of the Libyan Arab Jamahiriya**, the Secretariat indicated that the briefing by the Secretariat, which is scheduled to take place on Friday, 21 September 2001, was aimed at providing information concerning the scenario, documentation and other technical details in relation to the one-day informal meeting. The briefing would be particularly useful to those delegates who did not attend last year's one-day informal meeting of the Commission (the first of its kind).

The **Regional Coordinator for the Eastern European Group** indicated that for some, last year's informal meeting of the CHR was a great process of learning and that for others, there was room for improvement (i.e., structure of the meeting, issues to be discussed etc.). Consequently, and in order to allow participating delegations to better prepare for the informal discussion, he proposed that the agenda or list of issues to be discussed should be made available by the Secretariat well in advance of the meeting.

• The **Chair** requested the **Bureau to reflect on two issues**, namely, (a) the possibility of reporting to one-day informal meeting on the activities conducted by the Bureau during the intersessional period. This could be in the form of a compendium of the summaries of the Bureau activities; and (b) follow-up to the World Conference against Racism on the other. The ideas or proposals on follow-up to WCAR could also be included in the Chair's assessment of the inter-sessional activities of the Bureau to be remitted to the 58th session of the Commission.

Any other business

• The **Chair** informed the Bureau about his intention to respond to the letter of 24 May 2001 from the Secretary-General regarding **IPU status** at the CHR, which will include language that is favourable to the participation of the IPU in the work of the CHR.

• The Chair further informed the Bureau that he intended to attend the **Third Committee** session in New York from 7 to 9 November, at which time he intended to meet with the Chairpersons of CSW and the NGO Committee, respectively. In this context, he invited any Bureau members who might be in NY at that time to attend these meetings. Interest was expressed by some Bureau members to join the Chair in his round of consultations in New York.

• The Bureau will hold its next meeting on **Thursday, 20 September, from 3.00 to 5.00 p.m., Room XI, Palais des Nations**.

DATES OF WORKING GROUPS[3]

Working Group on the right to development	3 to 7 December 2001 (1st session) 18 to 22 February 2002 (2nd session)
Working Group on the Optional Protocol to the Convention against Torture	14 to 25 January 2002
Working Group on the Draft United Nations Declaration on the rights of indigenous peoples	28 January to 8 February 2002
Working Group on Situations (1503 Procedure)	11 to 15 February 2002

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[3] Sent to the Bureau by facsimile on 10 August 2001 at the request of the CHR Chair